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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,667	03/30/2001	Bidyut Parruck	AZA-002/2001-P002	8542
293	7590	06/28/2005	EXAMINER	
Ralph A. Dowell of DOWELL & DOWELL P.C. 2111 Eisenhower Ave. Suite 406 Alexandria, VA 22314			SEFCHECK, GREGORY B	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,667

Applicant(s)

PARRUCK ET AL.

Examiner

Gregory B. Sefcheck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

- Applicant's Amendment filed 4/1/2005 is acknowledged.
- Claims 9, 10, and 17 have been amended.
- Claims 1-19 remain pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 7, 8, 11-14, and 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kao et al. (US006535513B1), hereafter Kao.

- In regards to Claims 1, 4, and 7,

Kao discloses a line card circuit in a switching apparatus for performing multi-service segmentation and reassembly between various networks (Title; Fig. 6; Col. 11-12, lines 30-3; claim 1 – multi-service segmentation and reassembly integrated circuit).

Referring to Fig. 6 and lines 30-46 of column 11, Kao discloses a data path from the first bus interface 616 (claim 1 – first bus interface) that receives data from various networks and transfers it to multi-service engine 614 to perform lookup mapping and

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queuing in VC queues 612 (claim 1 – lookup circuitry) such that the data path can accommodate processing of both cell and packet traffic in both directions to/from a corresponding network or switch fabric (Col. 11-12, lines 54-3; claim 1 – cell and packet traffic pass over data path; claim 1 – lookup analyzes cell traffic to be processed in a first way; claim 1 – lookup analyzes packet traffic to be processed in a second way; claim 4 – ingress mode such that traffic output from IC to switch fabric via second interface; claim 4 – egress mode such that traffic received on IC from switch fabric via first interface).

Furthermore, Kao discloses SAR engine 610 for performing segmentation and reassembly of the data and manages the scheduling of data forwarding from/to the VC queues 612 to/from the second bus interface 602 that connects to a switch fabric (claim 1 – segmentation circuitry; claim 1 – reassembly circuitry; claim 1 – second bus interface; claim 1 – data path from first interface to lookup to segmentation to reassembly to second interface; claim 7 – IC comprises memory manager circuitry wherein the data path extends from segmentation to reassembly via the memory manager).

- In regards to Claims 2, 3, and 5,

Kao discloses a line card in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Kao discloses the switching apparatus is capable of receiving both packet and cell data on the first interface (Fig. 6; Abstract). Referring to Fig. 2, data is output from the second interface 602 is to a common switch fabric 208, and then to another line card 202 in which the data is output to an ATM network in a first mode or to an IP network in a second mode. Data can be exchanged/translated between ATM and IP networks through the respective line cards of the switching device (claim 2,5 – first ingress mode such that output is to a cell-based switch fabric via the second interface; claim 2,5 – second ingress mode such that output is to a packet-based switch fabric via the second interface; claim 3,5 – first egress mode such that traffic is received from a cell-based switch fabric via the first interface; claim 3,5 – second egress mode such that traffic is received from a packet-based switch fabric via the first interface).

- In regards to Claim 8,

Kao discloses a line card in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Kao discloses that the ATM and packet data is temporarily stored in VC queues 612 as it passes through the line card (Col. 11, lines 30-32 and 61-65; claim 8 – cell traffic is ATM, temporarily stored in one of plurality of equal size buffers; claim 8 – packet segmented into plurality of chunks and temporarily stored in buffers).

- In regards to Claim 11,

Kao discloses a line card circuit (MS-SAR) in a switching apparatus for performing multi-service segmentation and reassembly between various networks as shown above regarding claim 1.

Referring to Fig. 2, Kao shows a switching apparatus 102 containing multiple line cards connected from a switch fabric 206,208 (claim 11 – switching device comprising first and second MS-SAR and a switch fabric).

Kao shows that data flowing through the switching apparatus 102 can be ATM, IP, as well as conversions from ATM to IP and IP to ATM (Col. 2, lines 60-64; claim 11 – flow into the first MS-SAR is first type, flow out of second MS-SAR is second type; claim 11 – first and second types are any combination of ATM and packet data).

- In regards to Claim 12,

Kao discloses a line card circuit (MS-SAR) in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Kao discloses that the SAR chip 422 of the line card is used for segmentation and reassembly of AAL5 frames during interworking of IP and ATM traffic networks (Col. 4, lines 65-67; claim 12 – ATM involves AAL5 adaptation layer cells).

- In regards to Claims 13 and 14,

Kao discloses a line card circuit (MS-SAR) in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Kao shows that an ATM cell received on a line card 202 can be encapsulated into an IP packet transmitting out of another line card to an IP network (Col. 4, lines 13-30 - Table 1). This process of encapsulation would apply whether one or several ATM cells are received (claim 13 – only one ATM cell encapsulated in a packet output from the second MS-SAR when a single ATM cell is received on the first MS-SAR).

Similarly, a received packet encapsulating an ATM cell received at a line card can be de-encapsulated and transmitted as an ATM cell on another line card (Col. 4, lines 13-30 – Table 1; claim 14 – de-capsulated ATM cell output from second MS-SAR when a packet encapsulating a single ATM cell is received on first MS-SAR).

- In regards to Claim 16,

Kao discloses a line card circuit (MS-SAR) in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Referring to Fig. 2, Kao shows that the switching device manages data exchanges through an ATM cell-switching fabric 208 (claim 16 – switching device is OSI layer 2 switch that does not perform IP routing)

- In regards to Claims 17-19,

Kao discloses a line card circuit in a switching apparatus for performing multi-service segmentation and reassembly between various networks (Title; Fig. 6; Col. 11-12, lines 30-3; claim 17 – multi-service segmentation and reassembly integrated circuit).

Referring to Fig. 6 and lines 30-46 of column 11, Kao discloses a data path that can transmit/receive data from ATM and IP networks (claim 17 - first and second egress types).

Kao shows that the multi-service engine 614 may adapt flows and perform translation service functions based on header lookup (claim 17 – egress type indicated in the flow; claim 18 – indication in the switch header; claim 19 – locating information regarding where indication of application type is located in flow) such that the data path can accommodate processing of both cell and packet traffic (first and second egress types) in both directions to/from a corresponding network or switch fabric (Col. 11-12, lines 54-3; claim 17 – processing the flow in the data path according to the indicated egress type).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kao in view of Kabie et al. (US006795445B1), hereafter Kabie.

- In regards to Claim 6,

Kao discloses a line card in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Kao discloses the switching apparatus is capable of receiving both packet and cell data on the first interface (Fig. 6; Abstract). Referring to Fig. 2, data can be exchanged/translated between ATM and IP networks through the respective line cards of the switching device (claim 6 – cell traffic is ATM).

Kao does not explicitly disclose packet traffic that is MPLS.

Kabie discloses hierarchical bandwidth management in multiservice networks. Referring to Fig. 5, Kabie discloses a system in which interworking is performed between ATM, FR, IP, and MPLS networks (Abstract; claim 6 – packet traffic is MPLS).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the switching apparatus of Kao for interworking of networks including MPLS packet traffic, as shown by Kabie. This modification would provide compatibility of the line card and switching apparatus with MPLS packet traffic and enable interworking with the various other types of supported networks.

- In regards to Claim 15,

Kao discloses a line card circuit (MS-SAR) in a switching apparatus for performing multi-service segmentation and reassembly between various networks that covers all limitations of the parent claim.

Kao does not explicitly show the switching device as a layer 3 IP router.

Kabie discloses hierarchical bandwidth management in multiservice networks. Referring to Fig. 5, Kabie discloses a system in which interworking is performed between ATM, FR, IP, and MPLS networks at edge nodes 20, which can perform IP routing as the core routers 14 can, but with visibility into individual user connections and applications, making the interworking possible (Col. 1, lines 31-49; claim 15 – switching device is OSI layer 3 IP router).

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the interworking switching device of Kao as a layer 3 IP router, as shown by Kabie. This would enable the device to communicate with the pure routers of a single network while also enabling interworking of various networks by providing visibility into the user connections and applications of the received data flows.

5. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kao in view of Takase et al. (US 20020101871A1), hereafter Takase.

- In regards to Claims 9 and 10,

Kao discloses a line card circuit in a switching apparatus for performing multi-service segmentation and reassembly between various networks (Title; Fig. 6; Col. 11-12, lines 30-3; claim 9 – integrated circuit).

Referring to Fig. 6 and lines 30-46 of column 11, Kao discloses a data path from first bus interface 616 (claim 9 – first bus interface) that receives data from various networks and transfers it to multi-service engine 614 to perform lookup mapping and queuing in VC queues 612 such that the data path can accommodate processing of both cell and packet traffic in both directions to/from a corresponding network or switch fabric (Col. 11-12, lines 54-3; claim 9 – cell and packet traffic pass over data path).

Furthermore, Kao discloses SAR engine 610 for performing segmentation and reassembly of the data and manages the scheduling of data forwarding from/to the VC queues 612 to/from the second bus interface 602 that connects to a switch fabric.

Kao does not explicitly disclose generating and checking a segmentation trailer along the data path between the first and second bus interfaces.

Takase discloses a connectionless communication system. Takase shows a system in which LAN (packet) data may be communicated in ATM cells through an assembly/disassembly process (segmentation/reassembly; Abstract; Pg. 2, paragraph

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32). This process of packet segmentation and reassembly to/from ATM cells includes generating and affixing a segmentation trailer to the cells (Pg. 8, paragraph 168). Figs. 70A and B illustrate that this trailer is generated and affixed to a particular packet segment and checked for missing segments, length of segments, etc. for the corresponding packet (Pg. 17, paragraph 289; claim 9 – generating segmentation trailer; claim 9 – checking segmentation trailer; claim 10 – ingress mode for segmenting a packet into a plurality of segments, generating trailer, appending trailer to one of segments, output in the form of switch cells; claim 10 – egress mode for outputting packet onto a network, checking plurality of received segments, a last one including trailer, checking the trailer).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the switching apparatus of Kao by generating and checking a segmentation trailer for packets converted in cells, as shown by Takase. The information in this trailer could then be used to check for missing segments and the length of segments for a corresponding packet to ensure proper transmission through the interworking of networks.

Response to Arguments

6. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Endo (US 20020101863A1) discloses a packet switch and method for relaying management cells and data cells in a form of IP packet
- Lea (US006115373A) discloses an information network architecture


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory B. Sefcheck whose telephone number is 571-272-3098. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GBS
6-23-2005



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